

DUONG DUC NGUYEN,)	
)	
Petitioner,)	Case No. C09-1435-RSL
)	
v.)	
)	ORDER OF DISMISSAL
STEPHEN D. SINCLAIR,)	
)	
Respondent.)	
)	

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's petition for writ of habeas corpus (Dkt. 1) is DISMISSED with prejudice;
- (3) The Court denies issuance of a certificate of appealability;
- (4) The Clerk of Court is directed to send copies of this Order to all counsel and to Magistrate Judge Brian A. Tsuchida.

Robert S. Lasnik
Robert S. Lasnik
United States District Judge